

Notice of Allowability

Application No.

10/659,257

Examiner

Karie O'Neill

Applicant(s)

ABE ET AL.

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 8-8-2007.
2. ☒ The allowed claim(s) is/are 8-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 8, 2007, has been entered. Therefore, Claims 3-14 are pending in this office action. Claims 1-2 have been canceled.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bernard Codd on September 14, 2007. Therefore Claims 1 and 2 are cancelled.

The application has been amended as follows:

In the Claims:

Cancel Claims 1 and 2.

Claim 3 (Currently Amended): A battery element internally sealed in a laminate sheet provided with a thermally welding resin layer and a metallic layer laminated thereon,

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comprising: an electric power generating element; ~~[[and]]~~ a first tab extending out from ~~[[a]]~~ the laminate sheet without being juxtaposed to another tab; and a second tab extending out from the laminate sheet in a direction opposite to the first tab, the first and second tabs to be formed with a thermally welding resin layer which is thermally welded with a thermally welding resin layer of the laminate sheet and connected to the electric power generating element with an amount of resin allowing an amount of resin, to be pushed outside the tab tabs, to be compensated.

Claim 5 (Currently Amended): A laminate battery comprising: a first tab; a second tab; an electric power generating element connected to the tab first and second tabs; and a laminate sheet allowing the electric power generating element to be accommodated and having: a metallic layer; and a thermally welding resin layer laminated on the metallic layer, wherein the first tab extends out from the laminate sheet without being juxtaposed to ~~another tab~~ and the second tab extends out from the laminate sheet in a direction opposite to the first tab, such that the tab first and second tabs and the thermally welding resin layer are welded by permitting a thermally welding area, which is formed in at least one of the thermally welding resin layer and the tabs, and the other of the thermally welding resin layer and the tab tabs to be welded to one another with an amount of resin allowing an amount of resin, to be pushed outside the tab tabs, to be compensated ✓

Claim 14 (Currently Amended): A method of manufacturing a laminate battery, comprising: preparing a tab first and second tabs and an electric power generating element connected to the tab tabs; preparing a laminate sheet having a metallic layer and a thermally welding

resin layer laminated on the metallic layer; and welding the tab tabs, which extends extend out from the laminate sheet without being juxtaposed to another tab in opposite directions, and the thermally welding resin layer, such that a thermally welding area formed in at least one of the thermally welding layer and the tab is tabs are welded to the other of the thermally welding layer and the tab tabs with an amount of resin allowing an amount of resin, to be pushed outside the tab tabs, to be compensated, while permitting the electric power generating element to be accommodated in the laminate sheet.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: the closest prior art, Kodama et al. (JP 2000-277093), does not teach or fairly suggest wherein a laminate battery comprises a first tab extending out from the laminate sheet and the second tab extending out from the laminate sheet in a direction opposite to the first tab, such that the first and second tabs and the thermally welding resin layer are welded with a thermally welding resin layer of the laminate sheet, with an amount of resin allowing an amount of resin, to be pushed outside the tabs, to be compensated .

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karie O'Neill whose telephone number is (571) 272-8614. The examiner can normally be reached on Monday through Friday from 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Karie O'Neill
Examiner
Art Unit 1745

KAO


PATRICK JOSEPH RYAN
SUPERVISOR, PATENT EXAMINER